

CONCLUSIONS:

- Defendant entered his/her plea freely and voluntarily.
 Defendant was not coerced or unlawfully persuaded to enter his/her plea.
 The plea bargain agreement should be followed.
 Defendant, after being given a copy of the terms and conditions of community supervision, understood those terms and conditions.

RECOMMENDATIONS:

- Defendant be found not guilty.
 Defendant be found guilty of the offense of _____

 The finding of guilt and further adjudication be deferred and Defendant be placed on community supervision for a term of 4 years.
 A fine of \$ 500 AS A CONDITION OF PROBATION be assessed.

 Defendant be assessed confinement in the State/County Jail for a period of _____ days/months/years.

 Defendant be assessed imprisonment in the Institutional Division of the Texas Department of Criminal Justice for _____ years.

 Community Supervision be granted for a period of _____ years.

 Restitution: to be determined / of \$ _____ be ordered.

 Court costs be assessed.

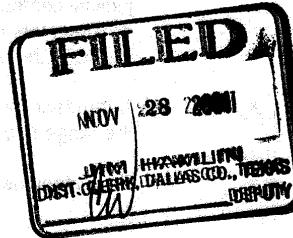
 Grant Defendant's (waiver of 10 days to prepare) (waiver of indictment) (waiver of delay of arraignment).

 The allegations in the enhancement paragraph(s) are true.

 A deadly weapon was used or exhibited.

 Name change granted.

ADDITIONAL RECOMMENDATIONS:



SIGNED THIS _____ DAY OF _____, 19 _____. *James McLean*

MAGISTRATE

ORDER ADOPTING ACTIONS OF MAGISTRATE

BE IT KNOWN that the Court has reviewed the actions taken by the Magistrate sitting for this Court in the above numbered and styled cause, which include all findings, conclusions and recommendations contained in this document, all orders contained on the docket sheet in this cause and within the papers filed in this cause, as well as any exhibits introduced into evidence in this cause.

IT IS HEREBY ORDERED AND DECREED that the Court specifically adopts and ratifies the actions taken by the Magistrate on behalf of this Court in compliance with Subchapter D of Chapter 54 of the Texas Government Code and further GRANTS DENIES community supervision to Defendant.

NOV 28 2001

SIGNED THIS THE _____ DAY OF _____, 19 _____. *K. McLean*

JUDGE
DISTRICT COURT
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS.

JUAN ESCAMILLA

IN THE 204TH JUDICIAL DISTRICT

COURT

OF

DALLAS COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE BEFORE COURT
WAIVER OF JURY TRIAL

JUDGE PRESIDING: MARK NANCARROW

JANUARY TERM, A.D., 2004

DATE OF JUDGMENT: 02/03/04

ATTORNEY
FOR STATE: ELAINE EVANS

ATTORNEY
FOR DEFENDANT: GILBERT MEDINA

OFFENSE
CONVICTED OF: UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE, TO WIT:
COCAINE

DEGREE: THIRD (ENHANCED) DATE OFFENSE COMMITTED: 04/10/03

CHARGING
INSTRUMENT: INDICTMENT PLEA: GUILTY

TERMS OF PLEA
BARGAIN (IN DETAIL): 2 YEARS PENITENTIARY, NO FINE

PLEA TO ENHANCEMENT
PARAGRAPH(S): PLEA TRUE 2ND/3RD FINDINGS ON
ENHANCEMENT: FOUND 2ND/3RD TRUE

FINDINGS ON
DEADLY WEAPON, NO FINDING
BIAS OR PREJUDICE,
AND/OR
FAMILY VIOLENCE:

DATE SENTENCE
IMPOSED: 02/03/04 COSTS: YES

PUNISHMENT AND
PLACE OF 2 YEARS
CONFINEMENT: CONFINEMENT IN THE INSTITUTIONAL DIVISION DATE TO
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE COMMENCE: 02/03/04
AND A FINE OF - 0 -

TIME CREDITED: 4/10/03; 4/14/03-12/3/03; 2/3/04 RESTITUTION/REPARATION: NO

CONCURRENT UNLESS OTHERWISE SPECIFIED.

DH

VOL. 455 PAGE 75

ON THIS DAY, SET FORTH ABOVE, THE ABOVE STYLED AND NUMBERED CAUSE, CAME TO THE STATE COURT OF THE STATE OF TEXAS, THE DEFENDANT APPEARED AND WAIVED THE NAMED ATTORNEYS AND ANNOUNCED READY FOR TRIAL. DEFENDANT APPEARED IN PERSON IN OPEN COURT, WHERE DEFENDANT WAS NOT REPRESENTED BY COUNSEL. DEFENDANT KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THE RIGHT TO REPRESENTATION BY COUNSEL. DEFENDANT, IN PERSON AND IN WRITING IN OPEN COURT WAIVED HIS RIGHT OF TRIAL BY JURY WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY. THE ATTORNEY FOR THE STATE, AND THE COURT, WHERE SHOWN ABOVE THAT THE CHARGING INSTRUMENT WAS BY INFORMATION INSTEAD OF INDICTMENT, THE DEFENDANT DID, WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY WAIVE HIS RIGHT TO PROSECUTION BY INDICTMENT AND AGREE TO BE TRIED ON AN INFORMATION. ALL SUCH WAIVERS, AGREEMENTS AND CONSENTS WERE IN WRITING AND FILED IN THE PAPERS OF THIS CAUSE, PRIOR TO THE DEFENDANT ENTERING HIS PLEA HEREIN. DEFENDANT WAS DULY ARRAIGNED AND IN OPEN COURT ENTERED THE ABOVE PLEA TO THE CHARGE CONTAINED IN THE CHARGING INSTRUMENT. DEFENDANT WAS ADMONISHED BY THE COURT OF THE CONSEQUENCES OF THE SAID PLEA AND DEFENDANT PERSISTED IN ENTERING SAID PLEA, AND IT PLAINLY APPEARING TO THE COURT THAT DEFENDANT IS MENTALLY COMPETENT AND SAID PLEA IS FREE AND VOLUNTARY THE SAID PLEA WAS ACCEPTED BY THE COURT AND IS NOW ENTERED OF RECORD AS THE PLEA HEREIN OF DEFENDANT. DEFENDANT IN OPEN COURT, IN WRITING, HAVING WAIVED THE READING OF THE CHARGING INSTRUMENT, THE APPEARANCE, CONFRONTATION, AND CROSS-EXAMINATION OF WITNESSES, AND AGREED THAT THE EVIDENCE MAY BE BY STIPULATION, CONSENTED TO THE INTRODUCTION OF TESTIMONY ORALLY, BY JUDICIAL CONFESSIONS, BY AFFIDAVITS, WRITTEN STATEMENTS OF WITNESSES, AND ANY OTHER DOCUMENTARY EVIDENCE. SUCH WAIVER AND CONSENT HAVING BEEN APPROVED BY THE COURT IN WRITING AND FILED IN THE PAPERS OF THE CAUSE. THE COURT HAVING HEARD DEFENDANT'S WAIVER OF THE READING OF THE CHARGING INSTRUMENT, AS SHOWN ABOVE, DEFENDANT'S PLEA THERETO, THE EVIDENCE SUBMITTED, AND THE ARGUMENT OF COUNSEL, IS OF THE OPINION FROM THE EVIDENCE SUBMITTED THAT DEFENDANT IS GUILTY OF THE OFFENSE AS SHOWN ABOVE AND THAT THE OFFENSE WAS COMMITTED BY SAID DEFENDANT ON THE DATE SET FORTH ABOVE. THE COURT FURTHER MAKES IT FINDINGS AS TO DEADLY WEAPON, FAMILY VIOLENCE, BIAS OR PREJUDICE, RESTITUTION OR REPARATION AS SET FORTH ABOVE.

AND WHEN SHOWN ABOVE THAT THE CHARGING INSTRUMENT CONTAINS ENHANCEMENT PARAGRAPH(S), WHICH WERE NOT WAIVED OR DISMISSED, THE COURT, AFTER HEARING THE DEFENDANT'S PLEA TO SAID PARAGRAPH(S), AS SET OUT ABOVE AND AFTER HEARING FURTHER EVIDENCE ON THE ISSUE OF PUNISHMENT, MAKES ITS FINDING AS SET OUT ABOVE. IF TRUE, THE COURT IS OF THE OPINION AND FINDS DEFENDANT HAS BEEN HERETOFORE CONVICTED OF SAID OFFENSE(S) ALLEGED IN THE SAID ENHANCEMENT PARAGRAPH(S) AS MAY BE SHOWN ABOVE.

AND WHEN SHOWN ABOVE THAT THERE WAS A PLEA BARGAIN AGREEMENT, THE DEFENDANT WAS INFORMED AS TO WHETHER THE COURT WOULD FOLLOW OR REJECT SUCH AGREEMENT AND IF THE COURT REJECTED SUCH AGREEMENT THE DEFENDANT WAS GIVEN AN OPPORTUNITY TO WITHDRAW HIS PLEA PRIOR TO ANY FINDING ON THE PLEA.

WHEN IT IS SHOWN ABOVE THAT RESTITUTION HAS BEEN ORDERED BUT, THE COURT DETERMINES THAT THE INCLUSION OF THE VICTIM'S NAME AND ADDRESS IN THE JUDGMENT IS NOT IN THE BEST INTEREST OF THE VICTIM, THE PERSON OR AGENCY WHOSE NAME AND ADDRESS IS SET OUT IN THIS JUDGEMENT WILL ACCEPT AND FORWARD THE RESTITUTION PAYMENTS TO THE VICTIM.

AND WHEN IT IS SHOWN BELOW THAT PAYMENT OF THE COSTS OF LEGAL SERVICES PROVIDED TO THE DEFENDANT IN THIS CAUSE HAS BEEN ORDERED, THE COURT FINDS THAT THE DEFENDANT HAS THE FINANCIAL RESOURCES TO ENABLE THE DEFENDANT TO OFFSET SAID COSTS IN THE AMOUNT ORDERED.

THEREUPON THE SAID DEFENDANT WAS ASKED BY THE COURT WHETHER HE HAD ANYTHING TO SAY WHY SAID SENTENCE SHOULD NOT BE PRONOUNCED AGAINST HIM, AND HE ANSWERED NOTHING IN BAR THEREOF, AND IT APPEARING TO THE COURT THAT DEFENDANT IS MENTALLY COMPETENT AND UNDERSTANDING OF THE PROCEEDINGS;

IT IS, THEREFORE, CONSIDERED AND ORDERED BY THE COURT, IN THE PRESENCE OF DEFENDANT, AND HIS ATTORNEY, THAT SAID JUDGMENT AS SET FORTH ABOVE, IS HEREBY IN ALL THINGS APPROVED AND CONFIRMED, AND THAT SAID DEFENDANT BE ADJUDGED GUILTY OF THE OFFENSE AS SHOWN ABOVE, AND THAT SAID DEFENDANT BE PUNISHED IN ACCORDANCE WITH THE PUNISHMENT SET FORTH ABOVE, AND DEFENDANT IS SENTENCED TO A TERM OF IMPRISONMENT OR FINE OR BOTH, AS SET FORTH ABOVE, AND DEFENDANT SHALL BE DELIVERED BY THE SHERIFF TO THE DIRECTOR OF THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE, OR OTHER

PERSON LEGALLY AUTHORIZED TO RECEIVE SUCH FINES AND COSTS OF THE PUNISHMENT ASSESSED
HEREIN. ALL SAID DEFENDANT SHALL BE CONFINED FOR THE ABOVE INDICTED TERM IN ACCORD-
ANCE WITH THE PROVISIONS OF LAW GOVERNING SUCH PUNISHMENTS. IT IS FURTHER
ORDERED THAT THE DEFENDANT PAY THE FINE, COURT COST, COSTS AND EXPENSES OF
LEGAL SERVICE PROVIDED BY THE COURT APPOINTED ATTORNEY IN THIS CAUSE, IF ANY,
AND RESTITUTION OR REPARATION, AS SET FORTH HEREIN.

DEFENDANT IS HEREBY ORDERED REMANDED TO JAIL UNTIL SAID SHERIFF CAN
OBEY THE DIRECTIONS OF THIS JUDGMENT.

FOLLOWING THE DISPOSITION OF THIS CAUSE THE DEFENDANT'S FINGERPRINT
WAS, IN OPEN COURT, PLACED UPON A CERTIFICATE OF FINGERPRINT. SAID CERTIFICATE
IS ATTACHED HERETO AND IS INCORPORATED BY REFERENCE AS A PART OF THIS
JUDGMENT.

WHEN REQUIRED, A PRESENTENCE INVESTIGATION WAS CONDUCTED IN
ACCORDANCE WITH THE APPLICABLE PROVISIONS OF LAW.

COSTS AND EXPENSES OF COURT APPOINTED ATTORNEY IN THE AMOUNT
OF \$673.00 TO BE PAID.

*Immediately upon release, defendant must report in person to the Felony Collections
Dept., 2nd fl., Rm. C2-3, Crowley Courts Bldg, Dallas, TX for payment arrangement of
court ordered costs, fines and/or attorney fees.

Mancarrow

JUDGE PRESIDING

JUDGMENT
CERTIFICATE OF THUMBPRINT FILED

CAUSE NO. F03-346762-9

[Handwritten signature]
JIM HAMILTON,
DISTRICT CLERK
DALLAS CO., TEXAS
DISTRICT COURT

DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS.

Juan Escamilla



Right
Thumb*



Defendant's right hand

THIS IS TO CERTIFY THAT THE FINGERPRINTS ABOVE ARE THE ABOVE-NAMED DEFENDANT'S FINGERPRINTS TAKEN AT THE TIME OF DISPOSITION OF THE ABOVE STYLED AND NUMBERED CAUSE.

DONE IN COURT THIS 3rd DAY OF February, 20 04.

[Signature]
BAILIFF/DEPUTY SHERIFF

*Indicate here if print other than defendant's right thumbprint is placed in box:

left thumbprint

left/right index finger

other, _____

FILED

VG

DEFENDANT Escamilla, Juan

200W-FM-0930184 CHARGE POSS CS 3RD

AKA:

JIM HAMLIN

ADDRESS 4146 Maybeth Street, Dallas, Tx DISTRICT CLERK LOCATION DSO

DALLAS CO., TEXAS

FILING AGENCY TX0571500 DATE FILED April 17, 2003 DEPUTY COURT CDC1

COMPLAINANT Todd, S F-0334670 VT#:

C/C

THE STATE OF TEXAS

CAUSE NO. F-0334670

VS.

Escamilla, Juan

CRIMINAL DISTRICT COURT 1
DALLAS COUNTY, TEXAS

JUDICIAL CONFESSION

Comes now Defendant in the above cause, in writing and in open Court, and consents to the stipulation of the evidence in this case and in so doing expressly waives the appearance, confrontation and cross-examination of witnesses. I further consent to the introduction of this Judicial Confession, and testimony orally, by affidavits, written statements of witnesses and other documentary evidence. Accordingly, having waived my Federal and State constitutional right against self-incrimination, and after having been sworn, upon oath, I judicially confess to the following facts and agree and stipulate that these facts are true and correct and constitute the evidence in this case:

On the 10th day of April A.D., 2003, in Dallas County, Texas, I did unlawfully,

unlawfully, intentionally and knowingly possess a controlled substance, to-wit: COCAINE, in an amount by aggregate weight, including any adulterants or dilutants, of less than 1 gram,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth in the first paragraph above, the said defendant was convicted of a felony offense of EVADE ARREST/DETENTION/MOTOR VEHICLE, on the 26TH day of SEPTEMBER, 2002, A.D., in Cause Number F01-57490-PS on the docket of 282ND JUDICIAL DISTRICT COURT, of DALLAS County, Texas under the name of JUAN ESCAMILLA and said conviction was a final conviction,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth in the first paragraph above, the said defendant was convicted of a felony offense of UNAUTHORIZED USE OF A MOTOR VEHICLE, on the 26TH day of SEPTEMBER, 2002, A.D., in Cause Number F01-57491-PS on the docket of 282ND JUDICIAL DISTRICT COURT, of DALLAS County, Texas under the name of JUAN ESCAMILLA and said conviction was a final conviction,

I further judicially confess that I committed the offense with which I stand charged exactly as alleged in the indictment in this cause.

APPROVED BY:

Attorney for Defendant

SWORN TO AND SUBSCRIBED before me on the 3rd day of January, 2004

APPROVED BY:

Karen Lantz SE#1
Assistant District Attorney

JIM HAMLIN, CLERK
DISTRICT COURTS OF
DALLAS COUNTY, TEXAS

By

Deputy District Clerk

Defendant's agreement to stipulate and waiver of confrontation and cross-examination of witnesses are in all things approved by the Court. The above Judicial Confession is hereby approved by the Court.

Marianne
PRESIDING JUDGE

JUDICIAL CONFESSION

VG

DEFENDANT Escamilla, Juan W M 09301983 CHARGE POSS CS 3RD
AKA:
ADDRESS 4146 Maybeth Street, Dallas, Tx LOCATION DSO _____
FILING AGENCY TX0571500 DATE FILED April 17, 2003 COURT CDC1
COMPLAINANT Todd, S F-0334670 VT#:
C/C _____

TRUE BILL INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Dallas County, State of Texas, duly organized at the April Term, A.D., 2003 of the

Criminal District Court 1, Dallas County, in said Court at said Term, do present that one

ESCAMILLA, JUAN

, Defendant,

On or about the 10th day of April A.D., 2003 in the County of Dallas and said State, did

unlawfully, intentionally and knowingly possess a controlled substance, to-wit: COCAINE, in an amount by aggregate weight, including any adulterants or dilutants, of less than 1 gram,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth in the first paragraph above, the said defendant was convicted of a felony offense of EVADE ARREST/DETENTION/MOTOR VEHICLE, on the 26TH day of SEPTEMBER, 2002, A.D., in Cause Number F01-57490-PS on the docket of 282ND JUDICIAL DISTRICT COURT, of DALLAS County, Texas under the name of JUAN ESCAMILLA and said conviction was a final conviction,

And it is further presented to said Court that prior to the commission of the aforesaid offense set forth in the first paragraph above, the said defendant was convicted of a felony offense of UNAUTHORIZED USE OF A MOTOR VEHICLE, on the 26TH day of SEPTEMBER, 2002, A.D., in Cause Number F01-57491-PS on the docket of 282ND JUDICIAL DISTRICT COURT, of DALLAS County, Texas under the name of JUAN ESCAMILLA and said conviction was a final conviction,

against the peace and dignity of the State.

BILL HILL

Criminal District Attorney of Dallas County, Texas



Foreman of the Grand Jury.

DEFENDANT/COURTS

Cause No. F 03-34670IN THE *Joyce H.*
DISTRICT COURT

DALLAS COUNTY, TEXAS

2004 FEB -3 AM / JIM NAMAN
DALLAS COUNTY DISTRICT ATTORNEYSTATE OF TEXAS
VS.
Juan EscamillaPLEA AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

The defendant herein and the attorneys for both the defendant and the State waive a jury trial and make the following agreement:

Defendant's plea: Guilty Nolo contendere
 Defendant will testify. Defendant will NOT testify.

Plea to enhancement paragraph(s): True Not true
 Plea bargain Open plea

Open as to: Deferred Adjudication Community Supervision Fine Restitution
 Other: _____

State's recommendation:

Agreed sentence:
 Confinement in (penitentiary) (state jail) (county jail) for 2 (years) (months) (days).
 Post-conviction community supervision, confinement probated for _____ (years) (months) (days).
 Deferred community supervision for _____ (years) (months) (days).
 Fine of \$ _____. To be paid. To be probated.
 Boot Camp Shock Probation Substance Abuse Felony Program
 Judicial Drug Treatment Center CENIKOR Dallas County Jail Chemical Dependency Program
 Restitution in the amount of \$ _____. Back-time NOT included.
 Back-time included _____.
 Defendant will sign waiver of extradition. Defendant knowingly and voluntarily waives appeal.
 Other: Cases to run concurrent.

 CHANGE OF NAME (Applicable only if box is checked)

The defendant having suggested that his/her true name is other than that set forth in the charging instrument, and having moved that the charging instrument and all other documents in this cause be amended to show his/her true name to be _____, said motion is hereby granted. It is so ordered.

COURT'S ADMONITIONS TO DEFENDANT

You are charged with the offense of: Sex by contact Substantiated.
placed.

The punishment range for the offense charged is:

- 1st Degree Felony, 5 - 99 years or Life and an optional fine not to exceed \$10,000.00.
 2nd Degree Felony, 2 - 20 years confinement and an optional fine not to exceed \$10,000.00.
 3rd Degree Felony, 2 - 10 years confinement and an optional fine not to exceed \$10,000.00.
 State Jail Felony, 180 days - 2 years State Jail and an optional fine not to exceed \$10,000.00.

You have an absolute right to a jury trial, to confront and cross-examine the witnesses against you, and to call witnesses in your own behalf. You have a right to testify, but you cannot be compelled to do so. The prosecuting attorney's recommendation as to punishment is not binding on the Court. You will be permitted to withdraw your plea if the Court rejects any plea bargain made in this case. If the punishment assessed by the Court is not greater than that which you have plea-bargained, you may not appeal on any matter in the case unless the Court grants permission for the appeal or the matters appealed were raised by written motion filed and ruled on before the plea. If you enter a plea of guilty or nolo contendere and there is no plea bargain, the court may assess your punishment anywhere within the range allowed by law. If you are not a citizen of the United States, a plea of guilty or nolo contendere may, and under current Federal Immigration rules is *almost certain to*, result in your deportation, exclusion from admission to the United States, or denial of naturalization. If you have a court-appointed attorney, you have a right to ten days from the date of the attorney's appointment to prepare for trial. You have the right to be tried on an indictment returned by a Grand Jury, and, unless you are on bond, a right to two entire days after being served with a copy of the charging instrument before being arraigned. If you receive unadjudicated community supervision and violate its conditions, you may be arrested and subjected to a hearing limited to determining whether or not guilt should be adjudicated. If guilt is adjudicated, no appeal may be taken from the Court's decision, and the full range of punishment is open to the Court. All proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision, and an appeal, then continue as if the adjudication of guilt had not been deferred. [In sex offense cases, see Court's Admonition to Sex Offenders, which is incorporated by reference and attached hereto.]

DEFENDANT'S STATEMENTS AND WAIVERS

With the approval of counsel, defendant makes the following statements and waivers. I am the accused in the charging instrument and am mentally competent. I understand the nature of the accusation made against me, the range of punishment for such offense, and the consequences of a plea of guilty or *nolo contendere*. I understand that I have an absolute right to a jury trial, that I have the right to remain silent, that anything I say can and will be used against me, that I have the right to confront and cross-examine the witnesses against me, and that I have a right to be tried upon an indictment returned by a grand jury. I understand that if I am not a United States citizen, a plea of guilty or *nolo contendere* will probably result in my deportation from the United States, exclusion from admission to the United States, or denial of naturalization under Federal law.

I hereby waive my right to be tried on an indictment returned by a grand jury; any and all defects, errors, or irregularities, whether of form or substance, in the charging instrument; my right to a jury trial; and my right to remain silent. I waive arraignment and reading of the charging instrument; the appearance, confrontation, and cross-examination of witnesses; my right to ten days to prepare for trial after the appointment of counsel (if counsel has been appointed); and the preparation of a pre-sentence report. I consent to the oral or written stipulation of evidence of testimony, to the introduction of testimony by affidavits or written statements of witnesses, and to all other documentary evidence.

4/10/03 I admit and judicially confess that I committed the offense of Sex of Convicted Adult exactly as alleged in the charging instrument. I affirm that my plea and judicial confession are freely and voluntarily made, and not influenced by any consideration of fear, persuasion, or delusive hope of pardon or parole.

I understand the admonitions regarding unadjudicated community supervision, and that I will be required to register as a sex offender if convicted of, or placed on community supervision for, one of the offenses enumerated under Court's Admonition to Sex Offenders, attached hereto. I understand that under the Uniform Extradition Act, should I be charged with a violation of my community supervision and be arrested in another state, I have the right to require the issuance and service of a warrant of extradition, the right to hire legal counsel, or, if indigent, to have counsel appointed, and the right to apply for a writ of habeas corpus to contest my arrest and return to this State.

I voluntarily and knowingly waive my rights under the Extradition Act, waive extradition, and waive my right to contest my return to the State of Texas from any jurisdiction where I may be found. I understand and agree that such waiver is irrevocable.

I understand that I have a right to appeal to the Court of Appeals. If the trial court follows the terms of the State's recommendation as to sentencing, then, after consulting with my attorney, I do expressly, voluntarily, knowingly, and intelligently give up and waive my right to any appeal.

DEFENDANT'S PLEA TO ENHANCEMENT PARAGRAPH(S) (Applicable only if box is checked)

I, the defendant, plead true to the ~~(second), (third), (second and third)~~ enhancement paragraph(s) which is/are contained in the charging instrument, and judicially confess that I am the same person who was previously duly and legally convicted of the offense(s) alleged therein.

SIGNATURES AND ACKNOWLEDGMENTS

I, the defendant herein, acknowledge that my attorney has explained to me, and I have read and I understand, all the foregoing admonitions and warnings regarding my rights and my plea, and that my statements and waivers are knowingly, freely, and voluntarily made with full understanding of the consequences. I request that the Court accept all my waivers, statements, agreements, and my plea.

3/3/04

Date

Defendant

Printed Name: JUAN ESCAMILLA

I have consulted with the defendant, whom I believe to be competent, concerning the plea in this case and have advised the defendant of his/her rights. I approve and agree to all waivers, statements, and agreements of the defendant herein and ask the Court to accept them and the defendant's plea.

3/3/04

Date

Attorney for Defendant

Printed Name: GILBERT MESSINA, Jr.

State Bar #: 1389497

As attorney for the State, I hereby consent to and approve the requests, waivers, agreements, and stipulations in this instrument.

3/3/04

Date

BILL HILL, Criminal District Attorney, Dallas County, by

Clare Evans for Kate Reiter

Assistant District Attorney

Printed Name: Clare Evans

State Bar # 24W32850

It appearing to the Court that the defendant is mentally competent and is represented by counsel, that the defendant understands the nature and consequences of the charge, and that all the parties have consented to and approved the waiver of jury trial and stipulations of evidence, the Court finds the waivers, agreements, and plea to have been knowingly, freely, and voluntarily made, approves the waivers and agreements, accepts the defendant's plea, approves the stipulation of testimony, and approves the change of name contained herein (if applicable).

Maurice

Date

Judge

(Revised 01-15-03)

NO. F03-34670

STATE OF TEXAS) (IN THE CRIMINAL COURT
VS.) (
Juan Escamilla) (204th DISTRICT
Defendant-Principal) (
Cynthia Barbare) (DALLAS COUNTY, TEXAS
Defendant-Surety) (

BOND FORFEITURE SETTLEMENT AGREEMENT

COMES NOW, DEFENDANT-SURETY, in the above styled and numbered cause, and being joined by the State of Texas, does enter into this Settlement Agreement, and would show this Honorable Court the following:

THAT, it is Agreed between the parties that this matter should be settled in the following manner, to-wit: Judgment against State. Defendant arrested 12-2-2023 within 18 days of Forfeiture Court Costs only.

AGREED :

BILL HILL
DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS

By: Assistant District Attorney

By: Defendant-Surety, or
Defendant-Surety's Attorney

ORDER GRANTING SETTLEMENT

BE IT KNOWN that this Court accepts this Agreed Settlement.

Signed this JAN 20 2004, 2003.

~~Magistrate~~

THE STATE OF TEXAS

VS.

JUAN ESCAMILLA

IN THE 204TH JUDICIAL DISTRICT

COURT

OF

DALLAS COUNTY, TEXAS

JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE BEFORE COURT
WAIVER OF JURY TRIAL

JANUARY TERM, A.D., 2004

JUDGE PRESIDING: MARK NANCARROW

DATE OF JUDGMENT: 02/03/04

ATTORNEY
FOR STATE: ELAINE EVANS

ATTORNEY
FOR DEFENDANT: GILBERT MEDINA

OFFENSE
CONVICTED OF: UNLAWFUL POSSESSION OF A FIREARM BY A FELON

DEGREE: THIRD

DATE OFFENSE COMMITTED: 04/10/03

CHARGING
INSTRUMENT: INDICTMENT

PLEA: GUILTY

TERMS OF PLEA
BARGAIN (IN DETAIL): 2 YEARS PENITENTIARY, FINE \$2,000

PLEA TO ENHANCEMENT
PARAGRAPH(S): N/A

FINDINGS ON
ENHANCEMENT: N/A

FINDINGS ON
DEADLY WEAPON,
BIAS OR PREJUDICE,
AND/OR
FAMILY VIOLENCE:
NO FINDING

DATE SENTENCE
IMPOSED: 02/03/04

COSTS: YES

PUNISHMENT AND
PLACE OF
CONFINEMENT: CONFINEMENT IN THE INSTITUTIONAL DIVISION
OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE DATE TO
COMMENCE: 02/03/04
AND A FINE OF \$2,000.00

TIME CREDITED: 4/10/03-04/14/03; 12/2/03-2/3/04

RESTITUTION/REPARATION: NO

CONCURRENT UNLESS OTHERWISE SPECIFIED.

DH

VOL. 455 PAGE 73

ON THIS DAY SET FORTH ABOVE, THE ABOVE COURT AND NUMBERED CAUSE NAME
IN THE STATE OF TEXAS, THE DEFENDANT APPEARED AND TOLD TO THE ABOVE
NAMED ATTORNEYS AND ANNOUNCED READY FOR TRIAL. DEFENDANT APPEARED IN PERSON IN
OPEN COURT. WHERE DEFENDANT WAS NOT REPRESENTED BY COUNSEL, DEFENDANT
KNOWINGLY, INTELLIGENTLY, AND VOLUNTARILY WAIVED THE RIGHT TO REPRESENTATION
BY COUNSEL. DEFENDANT, IN PERSON AND IN WRITING IN OPEN COURT WAIVED HIS RIGHT
OF TRIAL BY JURY WITH THE CONSENT AND APPROVAL OF HIS ATTORNEY, THE ATTORNEY
FOR THE STATE, AND THE COURT. WHERE SHOWN ABOVE THAT THE CHARGING INSTRUMENT
WAS BY INFORMATION INSTEAD OF INDICTMENT, THE DEFENDANT DID, WITH THE CONSENT
AND APPROVAL OF HIS ATTORNEY WAIVE HIS RIGHT TO PROSECUTION BY INDICTMENT AND
AGREE TO BE TRIED ON AN INFORMATION. ALL SUCH WAIVERS, AGREEMENTS AND CONSENTS
WERE IN WRITING AND FILED IN THE PAPERS OF THIS CAUSE PRIOR TO THE DEFENDANT
ENTERING HIS PLEA HEREIN. DEFENDANT WAS DULY ARRAIGNED AND IN OPEN COURT
ENTERED THE ABOVE PLEA TO THE CHARGE CONTAINED IN THE CHARGING INSTRUMENT.
DEFENDANT WAS ADMONISHED BY THE COURT OF THE CONSEQUENCES OF THE SAID PLEA AND
DEFENDANT PERSISTED IN ENTERING SAID PLEA, AND IT PLAINLY APPEARING TO THE
COURT THAT DEFENDANT IS MENTALLY COMPETENT AND SAID PLEA IS FREE AND VOLUNTARY
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THE READING OF THE CHARGING INSTRUMENT THE APPEARANCE, CONFRONTATION AND
CROSS-EXAMINATION OF WITNESSES, AND AGREED THAT THE EVIDENCE MAY BE BY
STIPULATION, CONSENTED TO THE INTRODUCTION OF TESTIMONY ORALLY BY JUDICIAL
CONFESSIONS, BY AFFIDAVITS, WRITTEN STATEMENTS OF WITNESSES, AND ANY OTHER
DOCUMENTARY EVIDENCE, SUCH WAIVER AND CONSENT HAVING BEEN APPROVED BY THE COURT
IN WRITING AND FILED IN THE PAPERS OF THE CAUSE. THE COURT HAVING HEARD
DEFENDANT'S WAIVER OF THE READING OF THE CHARGING INSTRUMENT AS SHOWN ABOVE,
DEFENDANT'S PLEA THERETO, THE EVIDENCE SUBMITTED, AND THE ARGUMENT OF COUNSEL,
IS OF THE OPINION FROM THE EVIDENCE SUBMITTED THAT DEFENDANT IS GUILTY OF THE
OFFENSE AS SHOWN ABOVE AND THAT THE OFFENSE WAS COMMITTED BY SAID DEFENDANT ON
THE DATE SET FORTH ABOVE. THE COURT FURTHER MAKES IT FINDINGS AS TO DEADLY
WEAPON, FAMILY VIOLENCE, BIAS OR PREJUDICE, RESTITUTION OR REPARATION AS SET
FORTH ABOVE.

AND WHEN SHOWN ABOVE THAT THE CHARGING INSTRUMENT CONTAINS ENHANCE-
MENT PARAGRAPH(S), WHICH WERE NOT WAIVED OR DISMISSED, THE COURT, AFTER HEARING
THE DEFENDANT'S PLEA TO SAID PARAGRAPH(S) AS SET OUT ABOVE AND AFTER HEARING
FURTHER EVIDENCE ON THE ISSUE OF PUNISHMENT MAKES ITS FINDING AS
SET OUT ABOVE. IF TRUE, THE COURT IS OF THE OPINION AND FINDS DEFENDANT HAS
BEEN HERETOFORE CONVICTED OF SAID OFFENSE(S) ALLEGED IN THE SAID ENHANCEMENT
PARAGRAPH(S) AS MAY BE SHOWN ABOVE.

AND WHEN SHOWN ABOVE THAT THERE WAS A PLEA BARGAIN AGREEMENT, THE
DEFENDANT WAS INFORMED AS TO WHETHER THE COURT WOULD FOLLOW OR REJECT SUCH
AGREEMENT AND IF THE COURT REJECTED SUCH AGREEMENT THE DEFENDANT WAS GIVEN AN
OPPORTUNITY TO WITHDRAW HIS PLEA PRIOR TO ANY FINDING ON THE PLEA.

WHEN IT IS SHOWN ABOVE THAT RESTITUTION HAS BEEN ORDERED BUT, THE
COURT DETERMINES THAT THE INCLUSION OF THE VICTIM'S NAME AND ADDRESS IN THE
JUDGMENT IS NOT IN THE BEST INTEREST OF THE VICTIM, THE PERSON OR AGENCY
WHOSE NAME AND ADDRESS IS SET OUT IN THIS JUDGEMENT WILL ACCEPT AND FORWARD THE
RESTITUTION PAYMENTS TO THE VICTIM.

AND WHEN IT IS SHOWN BELOW THAT PAYMENT OF THE COSTS OF LEGAL
SERVICES PROVIDED TO THE DEFENDANT IN THIS CAUSE HAS BEEN ORDERED, THE COURT
FINDS THAT THE DEFENDANT HAS THE FINANCIAL RESOURCES TO ENABLE THE DEFENDANT TO
OFFSET SAID COSTS IN THE AMOUNT ORDERED.

THEREUPON THE SAID DEFENDANT WAS ASKED BY THE COURT WHETHER HE HAD
ANYTHING TO SAY WHY SAID SENTENCE SHOULD NOT BE PRONOUNCED AGAINST HIM, AND HE
ANSWERED NOTHING IN BAR THEREOF. AND IT APPEARING TO THE COURT THAT DEFENDANT
IS MENTALLY COMPETENT AND UNDERSTANDING OF THE PROCEEDINGS;

IT IS, THEREFORE, CONSIDERED AND ORDERED BY THE COURT IN THE
PRESENCE OF DEFENDANT AND HIS ATTORNEY, THAT SAID JUDGMENT AS SET FORTH ABOVE
IS HEREBY IN ALL THINGS APPROVED AND CONFIRMED, AND THAT SAID DEFENDANT BE
ADJUDGED GUILTY OF THE OFFENSE AS SHOWN ABOVE, AND THAT SAID DEFENDANT BE
PUNISHED IN ACCORDANCE WITH THE PUNISHMENT SET FORTH ABOVE, AND DEFENDANT IS
SENTENCED TO A TERM OF IMPRISONMENT OR FINE OR BOTH, AS SET FORTH ABOVE, AND
DEFENDANT SHALL BE DELIVERED BY THE SHERIFF TO THE DIRECTOR OF THE INSTITU-
TIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE, OR OTHER

Case 3:06-cv-02248-C-BH Document 26-12 Filed 05/05/08 Page 13 of 20 PageID
PERSON LEGALLY AUTHORIZED TO RECEIVE SUCH CONVICTION FOR THE PUNISHMENT ASSESSMENT
HEREIN AND THAT DEFENDANT SHALL BE FORFEITED FOR THE ABOVE-NAMED ITEM IN ACCORD-
ANCE WITH THE PROVISIONS OF LAW GOVERNING **658** SUCH PUNISHMENTS. IT IS FURTHER
ORDERED THAT THE DEFENDANT PAY THE FINE, COURT COST, COSTS AND EXPENSES OF
LEGAL SERVICE PROVIDED BY THE COURT APPOINTED ATTORNEY IN THIS CAUSE, IF ANY,
AND RESTITUTION OR REPARATION, AS SET FORTH HEREIN.

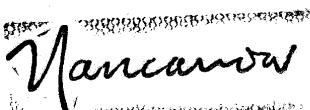
DEFENDANT IS HEREBY ORDERED REMANDED TO JAIL UNTIL SAID SHERIFF CAN
OBEY THE DIRECTIONS OF THIS JUDGMENT.

FOLLOWING THE DISPOSITION OF THIS CAUSE THE DEFENDANT'S FINGERPRINT
WAS, IN OPEN COURT, PLACED UPON A CERTIFICATE OF FINGERPRINT. SAID CERTIFICATE
IS ATTACHED HERETO AND IS INCORPORATED BY REFERENCE AS A PART OF THIS
JUDGMENT.

WHEN REQUIRED, A PRESENTENCE INVESTIGATION WAS CONDUCTED IN
ACCORDANCE WITH THE APPLICABLE PROVISIONS OF LAW.

COURT COSTS IN THE AMOUNT OF \$273.00

*Immediately upon release, defendant must report in person to the Felony Collections
Dept., 2nd fl., Rm. C2-3, Crowley Courts Bldg., Dallas, TX for payment arrangement of
court ordered costs, fines and/or attorney fees.



JUDGE PRESIDING

659

JUDGMENT
CERTIFICATE OF THUMPRINT

FILED

CAUSE NO.

F03-346718

2004 FEB 2 AM 11

JIM HANLIN

IN THE

DALLAS COUNTY

DISTRICT COURT

DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS

John Escamilla



Right
Thumb*



Defendant's right hand

THIS IS TO CERTIFY THAT THE FINGERPRINTS ABOVE ARE THE ABOVE-NAMED DEFENDANT'S FINGERPRINTS TAKEN AT THE TIME OF DISPOSITION OF THE ABOVE STYLED AND NUMBERED CAUSE.

DONE IN COURT THIS 3d DAY OF

February, 20 04.

H. A. 638
BAILIFF/DEPUTY SHERIFF

*Indicate here if print other than defendant's right thumbprint is placed in box:

left thumbprint

left/right index finger

other, _____

FILED

VG

DEFENDANT Escamilla, Juan

W M 09301983 200 FER 3 AM CHARGE UP FELON

AKA:

ADDRESS 4146 Maybeth Street, Dallas, Tx

JIM HAMLIN

DISTRICT CLERK

DALLAS COUNTY TEXAS

FILING AGENCY TX0571500

DATE FILED April 17, 2003

DONALY JDC292

COMPLAINANT Todd, S

F-0334671

VT#:

C/C

THE STATE OF TEXAS

CAUSE NO. F-0334671

VS.

Escamilla, Juan

292ND JUDICIAL DISTRICT COURT
DALLAS COUNTY, TEXAS

JUDICIAL CONFESSION

Comes now Defendant in the above cause, in writing and in open Court, and consents to the stipulation of the evidence in this case and in so doing expressly waives the appearance, confrontation and cross-examination of witnesses. I further consent to the introduction of this Judicial Confession, and testimony orally, by affidavits, written statements of witnesses and other documentary evidence. Accordingly, having waived my Federal and State constitutional right against self-incrimination, and after having been sworn, upon oath, I judicially confess to the following facts and agree and stipulate that these facts are true and correct and constitute the evidence in this case:

On the 10th day of April A.D., 2003, in Dallas County, Texas, I did unlawfully,

unlawfully then and there intentionally and knowingly possess a firearm, to-wit: a handgun, at a location other than the premises at which he lived, to wit: 2500 block of Crestview Circle, Irving, Dallas County, Texas,

And prior to the commission of the said act, on the 28th day of November, 2001, in the 282nd Judicial District Court of Dallas County, Texas, in a case on the docket of said court, Docket Number F-0157491PS, and entitled the State of Texas vs. JUAN ESCAMILLA, the said defendant was duly and legally convicted of the felony offense of Unlawful Use Motor Vehicle, of which said offense said Court had jurisdiction,

I further judicially confess that I committed the offense with which I stand charged exactly as alleged in the indictment in this cause.

APPROVED BY:

Attorney for Defendant

SWORN TO AND SUBSCRIBED before me on the

3rd day of July, 2004

APPROVED BY:

Assistant District Attorney

JIM HAMLIN, CLERK
DISTRICT COURTS OF
DALLAS COUNTY, TEXAS
By Deputy District Clerk

Defendant's agreement to stipulate and waiver of confrontation and cross-examination of witnesses are in all things approved by the Court. The above Judicial Confession is hereby approved by the Court.

PRESIDING JUDGE

JUDICIAL CONFESSION

VG

DEFENDANT Escamilla, Juan

W M 09301983 CHARGE UPF FELON

AKA:

ADDRESS 4146 Maybeth Street, Dallas, Tx

LOCATION DSO

FILING AGENCY TX0571500 DATE FILED April 17, 2003

COURT JDC292

COMPLAINANT Todd, S

F-0334671 VT#:

C/C

TRUE BILL INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Dallas County, State of Texas, duly organized at the January Term, A.D., 2003 of the

292nd Judicial District Court, Dallas County, in said Court at said

Term, do present that one

ESCAMILLA, JUAN

, Defendant,

On or about the 10th day of April A.D., 2003 in the County of Dallas and said State, did

unlawfully then and there intentionally and knowingly possess a firearm, to-wit: a handgun, at a location other than the premises at which he lived, to wit: 2500 block of Crestview Circle, Irving, Dallas County, Texas,

And prior to the commission of the said act, on the 28th day of November, 2001, in the 282nd Judicial District Court of Dallas County, Texas, in a case on the docket of said court, Docket Number F-0157491PS, and entitled the State of Texas vs. JUAN ESCAMILLA, the said defendant was duly and legally convicted of the felony offense of Unlawful Use Motor Vehicle, of which said offense said Court had jurisdiction,

against the peace and dignity of the State.

Bill Hill

Criminal District Attorney of Dallas County, Texas

Dey S. Hughe
Foreman of the Grand Jury.

DEFENDANT/COURTS

STATE OF TEXAS
VS.
Juan Escamilla

FEB 12 2004
IN THE DISTRICT COURT
DALLAS COUNTY, TEXAS
2004 FEB 13 AM 10:00 AM
JIM HAMIN
DISTRICT CLERK
DALLAS COUNTY, TEXAS

PLEA AGREEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

The defendant herein and the attorneys for both the defendant and the State waive a jury trial and make the following agreement:

- Defendant's plea: Guilty Nolo contendere
 Defendant will testify. Defendant will NOT testify.
Plea to enhancement paragraph(s): True Not true
Type of plea: Plea bargain Open plea
Open as to: Deferred Adjudication Community Supervision Fine Restitution
 Other: _____

State's recommendation:

- Agreed sentence:
 Confinement in (penitentiary)(state jail)(county jail) for 2 (years)(months)(days).
 Post-conviction community supervision, confinement probated for (years) (months) (days).
 Deferred community supervision for (years) (months) (days).
 Fine of \$ 2,000. To be paid. To be probated.
 Boot Camp Shock Probation Substance Abuse Felony Program
 Judicial Drug Treatment Center CENIKOR Dallas County Jail Chemical Dependency Program
 Restitution in the amount of \$. Back-time NOT included.
 Back-time included .
 Defendant will sign waiver of extradition. Defendant knowingly and voluntarily waives appeal.
 Other: Cases to run concurrent.

CHANGE OF NAME (Applicable only if box is checked)

The defendant having suggested that his/her true name is other than that set forth in the charging instrument, and having moved that the charging instrument and all other documents in this cause be amended to show his/her true name to be , said motion is hereby granted. It is so ordered.

COURT'S ADMONITIONS TO DEFENDANT

You are charged with the offense of: intentional injury of a public official (felony).

The punishment range for the offense charged is:

- 1st Degree Felony, 5 - 99 years or Life and an optional fine not to exceed \$10,000.00.
 2nd Degree Felony, 2 - 20 years confinement and an optional fine not to exceed \$10,000.00.
 3rd Degree Felony, 2 - 10 years confinement and an optional fine not to exceed \$10,000.00.
 State Jail Felony, 180 days - 2 years State Jail and an optional fine not to exceed \$10,000.00.

You have an absolute right to a jury trial, to confront and cross-examine the witnesses against you, and to call witnesses in your own behalf. You have a right to testify, but you cannot be compelled to do so. The prosecuting attorney's recommendation as to punishment is not binding on the Court. You will be permitted to withdraw your plea if the Court rejects any plea bargain made in this case. If the punishment assessed by the Court is not greater than that which you have plea-bargained, you may not appeal on any matter in the case unless the Court grants permission for the appeal or the matters appealed were raised by written motion filed and ruled on before the plea. If you enter a plea of guilty or nolo contendere and there is no plea bargain, the court may assess your punishment anywhere within the range allowed by law. If you are not a citizen of the United States, a plea of guilty or nolo contendere may, and under current Federal Immigration rules is *almost certain to*, result in your deportation, exclusion from admission to the United States, or denial of naturalization. If you have a court-appointed attorney, you have a right to ten days from the date of the attorney's appointment to prepare for trial. You have the right to be tried on an indictment returned by a Grand Jury, and, unless you are on bond, a right to two entire days after being served with a copy of the charging instrument before being arraigned. If you receive unadjudicated community supervision and violate its conditions, you may be arrested and subjected to a hearing limited to determining whether or not guilt should be adjudicated. If guilt is adjudicated, no appeal may be taken from the Court's decision, and the full range of punishment is open to the Court. All proceedings, including assessment of punishment, pronouncement of sentence, granting of community supervision, and an appeal, then continue as if the adjudication of guilt had not been deferred. [In sex offense cases, see Court's Admonition to Sex Offenders, which is incorporated by reference and attached hereto.]

DEFENDANT'S STATEMENTS AND WAIVERS

With the approval of counsel, defendant makes the following statements and waivers. I am the accused in the charging instrument and am mentally competent. I understand the nature of the accusation made against me, the range of punishment for such offense, and the consequences of a plea of guilty or *nolo contendere*. I understand that I have an absolute right to a jury trial, that I have the right to remain silent, that anything I say can and will be used against me, that I have the right to confront and cross-examine the witnesses against me, and that I have a right to be tried upon an indictment returned by a grand jury. I understand that if I am not a United States citizen, a plea of guilty or *nolo contendere* will probably result in my deportation from the United States, exclusion from admission to the United States, or denial of naturalization under Federal law.

I hereby waive my right to be tried on an indictment returned by a grand jury; any and all defects, errors, or irregularities, whether of form or substance, in the charging instrument; my right to a jury trial; and my right to remain silent. I waive arraignment and reading of the charging instrument; the appearance, confrontation, and cross-examination of witnesses; my right to ten days to prepare for trial after the appointment of counsel (if counsel has been appointed); and the preparation of a pre-sentence report. I consent to the oral or written stipulation of evidence or testimony, to the introduction of testimony by affidavits or written statements of witnesses, and to all other documentary evidence.

4/3/04 I admit and judicially confess that I committed the offense of Unlawful possession of firearm (below) on 4/3/04 exactly as alleged in the charging instrument. I affirm that my plea and judicial confession are freely and voluntarily made, and not influenced by any consideration of fear, persuasion, or delusive hope of pardon or parole.

I understand the admonitions regarding unadjudicated community supervision, and that I will be required to register as a sex offender if convicted of, or placed on community supervision for, one of the offenses enumerated under Court's Admonition to Sex Offenders, attached hereto. I understand that under the Uniform Extradition Act, should I be charged with a violation of my community supervision and be arrested in another state, I have the right to require the issuance and service of a warrant of extradition, the right to hire legal counsel, or, if indigent, to have counsel appointed, and the right to apply for a writ of habeas corpus to contest my arrest and return to this State.

I voluntarily and knowingly waive my rights under the Extradition Act, waive extradition, and waive my right to contest my return to the State of Texas from any jurisdiction where I may be found. I understand and agree that such waiver is irrevocable.

I understand that I have a right to appeal to the Court of Appeals. If the trial court follows the terms of the State's recommendation as to sentencing, then, after consulting with my attorney, I do expressly, voluntarily, knowingly, and intelligently give up and waive my right to any appeal.

DEFENDANT'S PLEA TO ENHANCEMENT PARAGRAPH(S) (*Applicable only if box is checked*)

I, the defendant, plead true to the (second), (third), (second and third) enhancement paragraph(s) which is/are contained in the charging instrument, and judicially confess that I am the same person who was previously duly and legally convicted of the offense(s) alleged therein.

SIGNATURES AND ACKNOWLEDGMENTS

I, the defendant herein, acknowledge that my attorney has explained to me, and I have read and I understand, all the foregoing admonitions and warnings regarding my rights and my plea, and that my statements and waivers are knowingly, freely, and voluntarily made with full understanding of the consequences. I request that the Court accept all my waivers, statements, agreements, and my plea.

2/3/04
Date

Defendant
Printed Name: Evan Escamilla

I have consulted with the defendant, whom I believe to be competent, concerning the plea in this case and have advised the defendant of his/her rights. I approve and agree to all waivers, statements, and agreements of the defendant herein and ask the Court to accept them and the defendant's plea.

2/3/04
Date

Attorney for Defendant
Printed Name: Gilbert Medina Jr.
State Bar #: 13894975

As attorney for the State, I hereby consent to and approve the requests, waivers, agreements, and stipulations in this instrument.

2/3/04
Date

BILL HILL, Criminal District Attorney, Dallas County, by
Elaine Ann Borlase Baker
Assistant District Attorney
Printed Name: Elaine Ann Borlase Baker
State Bar # 20103880

It appearing to the Court that the defendant is mentally competent and is represented by counsel, that the defendant understands the nature and consequences of the charge, and that all the parties have consented to and approved the waiver of jury trial and stipulations of evidence, the Court finds the waivers, agreements, and plea to have been knowingly, freely, and voluntarily made, approves the waivers and agreements, accepts the defendant's plea, approves the stipulation of testimony, and approves the change of name contained herein (if applicable).

2/3/04
Date

Mauran
Judge
Printed Name: Mauran
State Bar # 20070000

(Revised 01-15-03)

NO. F03-34671-A

STATE OF TEXAS) (IN THE CRIMINAL COURT
vs.) (DISTRICT
Juan Escamilla) (209th
Defendant-Principal)
Cynthia Barbare) (
Defendant-Surety) (DALLAS COUNTY, TEXAS

BOND FORFEITURE SETTLEMENT AGREEMENT

COMES NOW, DEFENDANT-SURETY, in the above styled and numbered cause, and being joined by the State of Texas, does enter into this Settlement Agreement, and would show this Honorable Court the following:

THAT, it is Agreed between the parties that this matter should be settled in the following manner, to-wit: Judgment against state. Defendant arrested on 12-3-2003 within 18 days after forfeiture. Court costs only.

AGREED:

BILL HILL
DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS

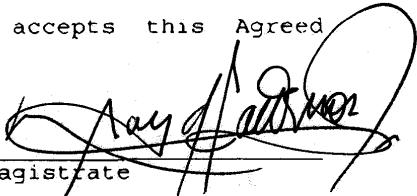
By: Assistant District Attorney

By: Defendant-Surety, or
Defendant-Surety's Attorney

ORDER GRANTING SETTLEMENT

BE IT KNOWN that this Court accepts this Agreed Settlement.

Signed this JAN 20 2003, 2003.


Magistrate

IN THE

JULY 4th
DISTRICT COURT
DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS.

Juan Escamilla

{ CAUSE NO.(S)

F03-38670

71 Q

CASE INFORMATION

The Defendant in this cause is charged with the offense of _____
 _____, a _____ degree felony. The possible punishment for this
 offense is _____

PLEA BARGAIN DATA

On a plea of Guilty, the District Attorney will
 recommend the following:

4 Years TDC Days in Dallas
 County Jail

Years Probated for _____ Years.

Days in Dallas County Jail Probated

for _____ Days.

\$ _____ Fine

each case
 2 TDC + 2,000

if plead by 1-30-04

Kate Powers
 Assistant District Attorney

Phone Number _____

CONTINUANCE DATA

Case passed by agreement to:

1/27/04 at 9:00 am/pm

for the purpose of: _____

which will be the _____ setting of this case.

The appearance of the Defendant at the next setting
 (IS) / (IS NOT) waived.

Attorney for Defendant

Phone Number _____

Defendant

Phone Number _____

ORDER AND FINDING

State (IS / IS NOT) found to have, in fact, been ready this date

District Judge _____

Date _____